

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DAVID B. HALL,
Petitioner,

v.

Case No. 15-C-0839

WILLIAM POLLARD, Warden,
Waupun Correctional Institution,
Respondent.

ORDER

David Hall has filed a petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. Pursuant to Rule 4 of the Rules Governing § 2254 Cases, I must give the case prompt initial consideration.

If it plainly appears from the face of the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition and direct the clerk to notify the petitioner. If the petition is not dismissed, the judge must order the respondent to file an answer, motion, or other response within a fixed time, or to take other action the judge may order.

Rule 4, Rules Governing § 2254 Cases. Having reviewed the petition, I conclude that it does not plainly appear that the petitioner is not entitled to relief in the district court.

The petitioner has also filed a motion to stay this case while he decides whether to pursue additional federal claims, and for leave to amend his petition if he decides to pursue such claims. I will order the respondent to respond to this motion.

THEREFORE, IT IS ORDERED that within 30 days of the date of this order, the respondent shall file a response to petitioner's motion to stay and for leave to amend

petition. If the respondent opposes the motion, petitioner may file a reply brief within 14 days after service of the brief in opposition.

Pursuant to the Memorandum of Understanding between the Attorney General and this court, copies of the petition and this order are being sent today to the Attorney General for the State of Wisconsin for service upon the respondent.

Dated at Milwaukee, Wisconsin, this 16th day of July, 2015.

s/ Lynn Adelman

LYNN ADELMAN
District Judge